

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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HOUSE BILL 713

Short Title: Body & Dash Cam Recording/Public Access. (Public)

Sponsors: Representatives Faircloth, Daughtry, Boles, and Hurley (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Judiciary I.

April 15, 2015

A BILL TO BE ENTITLED

AN ACT AUTHORIZING LAW ENFORCEMENT AGENCIES TO RELEASE TO THE PUBLIC RECORDINGS CAPTURED BY BODY-WORN CAMERAS AND IN-CAR CAMERAS UTILIZED BY LAW ENFORCEMENT OFFICERS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 132-1.4(b)(1) reads as rewritten:

"(1) "Records of criminal investigations" means all records or any information that pertains to a person or group of persons that is compiled by public law enforcement agencies for the purpose of attempting to prevent or solve violations of the law, including information derived from witnesses, laboratory tests, surveillance, body-worn and in-car cameras, investigators, confidential informants, photographs, and measurements. The term also includes any records, worksheets, reports, or analyses prepared or conducted by the North Carolina State Crime Laboratory at the request of any public law enforcement agency in connection with a criminal investigation."

SECTION 2. G.S. 132-1.4 is amended by adding a new subsection to read:

"(g1) A person seeking to inspect, examine, or obtain a copy of audio, video, or audio and video recordings captured by a law enforcement officer's body-worn camera or in-car camera must state the date and approximate time of the incident or encounter captured by the body-worn camera or in-car camera or otherwise identify the incident or encounter with reasonable particularity. Notwithstanding any other provision of State law regulating or prohibiting access to employee personnel records, a law enforcement agency may release recordings captured by a law enforcement officer's body-worn camera or in-car camera without the consent of the law enforcement officer whose actions, visual or audible, are captured on the recordings. Nothing in this subsection shall be construed as (i) requiring a law enforcement agency to allow inspection, examination, or release of audio, video, or audio and video recordings captured by a law enforcement officer's body-worn camera or in-car camera or (ii) superseding or altering any federal law that authorizes or prohibits access to recordings subject to this subsection."

SECTION 3. This act is effective when it becomes law.

